

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
August 7, 2002**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., August 7, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Max W. Wilson, and Mary Rose Wilcox. Absent: Andy Kunasek. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; Tom Manos, Chief Financial Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

INVOCATION

Raymond Buchanan, City of Phoenix Neighborhood Services Department, delivered the invocation.

PLEDGE OF ALLEGIANCE

Bob Williams, Chief Public Works Officer, led the assemblage in the Pledge of Allegiance.

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

PET OF THE MONTH

Ed Boks presented Mickey and Molly, brother and sister part-dachshund puppies, for the Supervisors to present to the public as the "Pet of the Month" from Maricopa County Animal Care & Control Services. The puppies were three months old and will be available for adoption later in the day, neutered, licensed and vaccinated for only \$35. In an effort to perpetuate the yearly decrease in forced euthanasias of adoptable pets, the Board takes this method of alerting the public at their first monthly meeting of the many desirable animals available at both animal control centers.

PUBLIC HEARING - ANTHEM STREET NAME CHANGE

This is the time scheduled for a public hearing to change a street name from Adventure Trail to Voyage Trail in the a plat of Anthem Unit 20C in Anthem, Maricopa County, Arizona. The request is made by Anthem Arizona LLC to correct a platting error. (This item is continued from the meeting of July 24, 2002.) (C44020090) (ADM2018)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried to approve this street name change.

LIQUOR LICENSE APPLICATIONS

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Wilson, to recommend approval of the following liquor license applications:

Application filed by Jane Zaia Torkhan for an Original Series 10, Liquor License: (F23046)

Business Name: Grams Mini Mart
Location: 9009 North 103rd Avenue, Sun City

Application filed by David Gerard Cisiewski for an Original Series 10 Liquor License: (F23048)

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Business Name: QuikTrip No. 404
Location: 9229 East University Drive, Mesa

Motion carried by majority vote (3-1-1) with Supervisors Stapley, Wilson and Wilcox voting "aye" and Supervisor Brock voting "no." (Supervisor Kunasek was not present at this meeting.)

FILING OF CROSS-APPEAL TO THE COURT OF APPEALS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the filing of a cross-appeal to the Court of Appeals in the property tax case of Nordstroms v. Maricopa County, TX 1998-00722. (Discussed in Executive Session on August 5, 2002.) (C1903005M) (ADM704)

INTERGOVERNMENTAL AGREEMENT WITH TEMPE POLICE DEPARTMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve an Intergovernmental Agreement between the Maricopa County Sheriff's Office and the Tempe Police Department which allows reimbursement of up to \$50,000 in overtime to the City of Tempe, from the Bureau of Justice Assistance, Arizona Meth Program for which the Maricopa County Sheriff's Office is the pass through agency. The term of this Intergovernmental Agreement is March 15, 2001, through December 31, 2003. This agenda coincides with C50011233, approved on September 19, 2001. No budget adjustment is required. (C50035203)

INTERGOVERNMENTAL AGREEMENT WITH THE PIMA COUNTY SHERIFF'S DEPARTMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Intergovernmental Agreement between the Maricopa County Sheriff's Office and the Pima County Sheriff's Department which allows reimbursement of up to \$50,000 in overtime to Pima County, from Bureau of Justice Assistance, Arizona Meth Program funding for which the Maricopa County Sheriff's Office is the pass through agency. The reimbursement term of this Intergovernmental Agreement is March 15, 2001, through June 30, 2002. This agenda coincides with C50010033, approved on July 26, 2001. No budget adjustment is required. (C50035213)

GRANT FUNDING FROM ARIZONA AUTOMOBILE THEFT AUTHORITY, PUBLIC AWARENESS GRANT PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the application and acceptance of up to \$13,085 in grant funding from the Arizona Automobile Theft Authority, Public Awareness Grant Program, for continuation of the "Watch Your Car Program. This funding will be used for deputies working overtime on the program. The amount for this grant was included in the FY 2002-2003 Sheriff's Office Budget request. (C50035223)

WAIVER TO EMPLOYEE LEAVE PLAN

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve a waiver to the Maricopa County Employee Leave Plan V & VI for Deputy William Coleman who suffered serious injuries as a result of an "Act of Violence" through no fault or negligence of his own, while serving in the line of duty on June 4, 2002. Authorize payment of normal base salary and benefits

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to the employee for a period of six months beginning June 29, 2002, through December 29, 2002. The Sheriff's Office will fund any costs associated with this action. (C5003025M) (ADM3320)

AUTHORIZE APPOINTMENT OF MANAGER TO HUMAN SERVICES CAMPUS, LLC

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize the County Administrative Officer to appoint a manager to the Human Services Campus, LLC and change appointments if required. The initial appointment will be Annette Stein, Director of the Maricopa County Health Care for the Homeless Program. (C20030010) (ADM2519)

PERSONNEL AGENDA

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Personnel Agenda (Judicial Branch and Maricopa County). (List on file in the Clerk of the Board's Office.)

2002 PILOT PROGRAM APPLICATION FOR VALLEY TELEWORK PROJECT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the 2002 Pilot Program Application for the Valley Telework Project with the Regional Public Transportation Authority (RPTA). The project consists of 30 to 50 hours of consulting services provided to four departments and provided at no cost to Maricopa County Board of Supervisors. (C31030017) (ADM2128)

REWARDING IDEAS EMPLOYEE AWARDS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize employee awards from the Rewarding Ideas Program in the amount of \$3,744 and present awards on August 21, 2002. (C31030027) (ADM3333-002)

REVISED GENERAL GOVERNMENT POLICY & PROCEDURES (B1005)

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the revised general Government Policy & Procedures (B1005). In July 2002, the Office of Management and Budget received an audit report on the General Government Department. The only audit finding that recommended action be taken was specific to the General Government Policy (B1005). General Fund Base Level Internal Service Fund charges needed to be added to the list of acceptable expenditures. Clarification was also made regarding special projects or initiatives being tracked centrally. This change has been incorporated into the latest version of the General Government Policy. In May of 1997, the Board of Supervisors approved the General Government Policy & Procedures (B1005). On February 6, 2002, the Board approved various changes dealing with out of date titles, out of date verbiage, irrelevant verbiage, as well as bringing the policy into conformance with the Managing for Results initiative. (C4902032601) (ADM1829)

APPOINTMENT OF ALTERNATE REPRESENTATIVE TO COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the appointment of Queen Creek Council Member, Gary Holloway, as the Alternate

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Representative to the Community Development Advisory Committee (CDAC) to serve a one-year term beginning July 1, 2002, through June 30, 2003. (C17030719) (ADM1501)

FY 2002-2003 NONPROFIT ECONOMIC DEVELOPMENT CONTRACTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the following FY 2002-2003 nonprofit economic development contracts for a total of \$1,139,776. The contracts and amounts are: (C17030721ZZ)

- a) Greater Phoenix Economic Council (GPEC) in the amount of \$659,776. GPEC will provide economic development support focused on marketing Maricopa County to generate positive and qualified business/industry prospects. (C17030731)
- b) Greater Phoenix Chamber of Commerce (GPCC) in the amount of \$165,000. GPCC will operate the Bid Source Program in order to assist existing businesses in Maricopa County. (C17030741)
- c) Greater Phoenix Convention & Visitors Bureau (GPCVB) in the amount of \$250,000. GPCVB will operate the Convention and Tourism Destination Marketing Program to promote the greater Phoenix area to conventions and tourism and to expand the number of events held at any major County owned facility. (C17030751)
- d) Maricopa County Sports Commission (MCSC) in the amount of \$25,000. MCSC will provide economic development support through the attraction of sports events and conferences, and by expanding the number of bids for events held at any major County-owned facility. (C17030761)
- e) Western Maricopa Enterprise Zone (WMEZ) in the amount of \$15,000. WMEZ will strengthen the employment base of Western Maricopa County. (C17030771)
- f) Collaboration for a New Century (CNC) in the amount of \$25,000. CNC will act as a clearinghouse for training, technical assistance, and connections to potential public and private sources of funding for faith/community-based organizations to implement innovative projects. (C17030781)

The funding amounts for these contracts were approved by the Board of Supervisors on July 22, 2002, as line items in the FY 2002-2003 budget. All contracts contain performance goals and reporting requirements. The Community Development Department will administer these contracts and provide quarterly progress reports to the Board of Supervisors.

FUND TRANSFERS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

SOLICITATION SERIALS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

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Award of Solicitation Serials:

02030-C INMATE CANTEEN FOOD & CANDY ITEMS (\$3,000,000 est/two (2) years with 3 one year renewal options)
Pricing agreement to purchase various food and candy items for the Sheriff's Inmate Canteen for resale to inmates.

- Capital Enterprise Inc
- Desert Eagle Dist.
- Interstate Gourmet Coffee Roasters
- Jenny Service Co.
- Keefe Supply Co.
- Kellogg Supply Inc
- Multifoods Distribution Group
- Vend Source

02044-S TOWING SERVICES FOR COUNTY VEHICLES (\$195,000 est/three (3) years with 2 one year renewal options)
Pricing agreement for towing services for County vehicles on an as required basis.

- Comet Towing Inc
- Diamond Towing LLC
- Shamrock Towing Inc
-

Cancellation and Subsequent Award:

02023-ROQ ADULT CRIMINAL TRIAL ATTORNEY SERVICES – OCC (\$723,340 est/two (2) years)
Cancellation of two (2) attorneys and a subsequent award to add three (3) attorneys. Recommendation is made by OCC to the next highest scoring applicants from the pool of non-awardees.

- Barbara L Spencer
- Blumberg & Associates
- Cary L. Lackey Law Office of c/o Corwin Townsend Esq.
- Christopher A. Flores
- Corwin A. Townsend Law Office
- David L Lockhart
- Edward J Susee, Attorney At Law
- Eric W. Kessler
- Gary Beren
- Gary V. Scales
- Gerald F. Moore PC
- German Salazar Law Office of
- Herman Alcantar Jr.
- Humberto B. Rosales Law Office
- John Justin McGuire
- Nathaniel J. Carr Law Office of
- Rick G. Tosto PC

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- Robert J. Trebilcock
- Rodrick S. Carter Law Offices
- Stephen M. Johnson
- Wendy R. Hernandez Law Offices
- Brad Reinhart (Added July 24, 2002)
- Manuel A Bustamante (Cancelled July 24, 2002)
- Thomas Rawles (Cancelled July 24, 2002)

Awards:

- Terri Capozzi
- Justin Beresky

Increase in the contract amount for the following contract(s).

This request is due to an increased usage by County departments:

97168-SC HERBICIDE APPLICATION SERVICES MARICOPA COUNTY FLOOD CONTROL DISTRICT

Increase contract value by \$60,000 to cover the contract period through December 31, 2002. This contract was previously renewed on September 7, 2000. New contract amount will be \$120,000. Flood Control requires this increase to continue the purchase of these services through the contract period.

- United Right-of-Way

98073-X ASPHALTIC CONCRETE MIX

Increase contract value by \$100,000 to cover the contract period through August 31, 2002. This contract was previously renewed on September 20, 2001. New contract amount will be \$175,000. MCDOT requires this increase to continue to purchase asphaltic concrete hot mix through the contract period.

- Mesa Materials Inc
- Vulcan Materials-Western Div

99098-RFP NEUTRAL EVALUATOR FOR CRIMINAL JUSTICE FACILITY DEVELOPMENT DEPARTMENT

Increase contract value by \$300,000 to cover the contract period through March 31, 2004. This contract was initially awarded on March 15, 2000. New contract amount will be \$400,000. CFJD requires this increase to continue to purchase these services as required through the contract period.

- PMA Consultants LLC
- James E. Atterbery

Execution of Documents

Execution of State and Local Government Microsoft Enterprise Agreement Enrollment forms with ASAP Software under the State of Arizona Contract AD9900116. These documents are required for the purchase of an Enterprise Software Agreement for Microsoft desktop products that will be utilized for approximately 13,000 personal computers/laptops throughout the County. This agreement includes all commonly used desktop software including all maintenance and upgrades associated with these products for a period of three years. (See related item (Item No. 33) under Chief Information Officer – C41030011)

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SETTLEMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to accept the settlement offer of Allianz of \$127,836.44 by our property insurance carrier, Allianz Insurance Company, for a March 12, 2000, claim for water damage to hospital medical diagnostic equipment and loss of hospital business income. (C75030021) (ADM409)

DONATIONS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the acceptance of donations made by citizens of Maricopa County through the Business Office of Animal Care & Control (AC&C) in the amount of \$4,860 and \$15,914 in donations that were made through the animal licensing process for the month of April 2002. Additionally, approve an increase in Animal Care and Control's FY 2003 Agency 792, Fund 572 Expenditure budget in the amount of \$20,774. Donations were received and deposited in FY 2001-2002. (C79020907) (ADM2300)

RENEWAL OF KENNEL PERMITS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the following kennel permit renewals for the term of August 7, 2002, through August 6, 2003. (C7903003C) (ADM2304)

- Jean Fornal, dba 6211 North 126th Avenue, Litchfield Park, Permit No. 157
- Jennifer Gee, dba Buk Lae Pekingese Kennels, 320 South 90th Place, Mesa, Permit No. 324
- Susan Anderson, dba Clearwater Kennels, 7601 North 185th Avenue, Waddell, Permit No. 338
- Vickie Hempen, dba Hempen's House of Hounds, 2601 East Louise Drive, Phoenix, Permit No. 345

KENNEL PERMITS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the issuance of the following kennel permits for the term of August 7, 2002, through August 6, 2003. (C7903004C) (ADM2304)

- Scott Heywood, dba Eye Dog Foundation, 8252 South 15th Avenue, Phoenix Sandra Lawson, dba Lawson Kennels, 22942 West Gibson Lane, Buckeye
- Billie Jo Maxey, dba Maxey Kennels, 16047 North 67th Lane, Peoria
- Troy Webster, dba Webster Kennels, 44044 North Beeline Hwy., Sunflower (mailing address: P.O. Box 2859, Payson)
- Sandra Holtzman, dba Holtzman Kennels, 3043 East Grovers Avenue, Phoenix

AFFILIATION AGREEMENT WITH PIMA MEDICAL INSTITUTE (MEDICAL ASSISTANT PROGRAM)

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Affiliation Agreement between Correctional Health Services and Pima Medical Institute (Medical Assistant Program). Approval would provide medical assistant students the educational opportunity to work in a supervised, clinical environment within the Maricopa County jail and detention

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facilities. This agreement would be from date of Board approval for one-year with four renewable one-year options. There is no financial impact. (C26030010)

**AFFILIATION AGREEMENT WITH ARIZONA PSYCHOLOGY TRAINING CONSORTIUM
(PSYCHOLOGY INTERN TRAINING AGREEMENT)**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an Affiliation Agreement between Correctional Health Services and Arizona Psychology Training Consortium (Psychology Intern Training Agreement). Approval would provide, for up to two pre-doctoral and/or post-doctoral psychology interns, the educational opportunity to work in a supervised, clinical environment within the Maricopa County jail and detention facilities. Psychology Intern(s) would become contract employees of CHS during their respective academic training period. Academic training periods would be from August to August, starting in August 2002. This agreement would be for three years (academic training periods 2002-2003, 2003-2004 and 2004-2005) with two renewable one-year options (academic training periods 2005-2006, 2006-2007). Financial impact would be \$45,530 per year (\$17,000 annual stipend per intern; \$5,640 for benefit package per intern; and \$250 annual affiliation fee paid to the Consortium for costs of administration of the program). Total expenditure for the three-academic years would be \$136,590. (C26030020)

WAIVER TO COMPENSATION PLAN

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a waiver to the Maricopa County Compensation Plan, Section VII.A to allow a retroactive salary advancement for: (C2202157M) (ADM3308)

- Jennifer Wiltbank, from \$13.10 per hour to \$14.65 per hour (including a special work assignment in effect at the time) for the pay period ending January 20, 2002. The retroactive pay will come from budgeted funds and will not exceed \$124.
- Laurie Neemann, from \$9.97 per hour to \$12.85 per hour (including a special work assignment in effect at the time) for the pay period ending January 20, 2002. The retroactive pay will come from budgeted funds and will not exceed \$230.40.

AMENDMENT TO CONTRACT WITH GET FRAMED, INC., dba DRIVERS ONLY

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 1 to the contract between the Human Services Department and Get Framed, Inc., dba Drivers Only, to provide driver services for the Department's Special Transportation Services (STS) Program. The changes made in the amendment are administrative in nature affecting the invoice billing cycle and the selection criteria for the drivers. The total contract value remains unchanged. The period of performance also remains unchanged and is from July 1, 2002, through June 30, 2003. There are no County general funds in this contract. (C2203071101)

AMENDMENT TO LEASE WITH CAZARES FAMILY CORPORATION

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve and execute Amendment No. 1 to existing limited service lease No. L7249 with the Cazares Family Corporation (originally GSPC Investment LLC), Lessor, for 4,371 square foot Women, Infants and Children (WIC) office facility located at 438 East Southern Avenue, Phoenix, Arizona. The amendment renews the lease for an additional five years, from October 1, 2002, through September 9, 2007. Fixed

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base rent will be \$12 per square foot, at \$4,371 per month or annually \$52,452 plus 2.4% rental tax. The agreement contains a 90-day termination clause. (C8698009401)

AMENDMENTS TO CONTRACTS WITH BODY POSITIVE, INC.

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the following amendments to contracts with Body Positive, Inc., for services to individuals and/or families affected by HIV/AIDS.

- a) Amendment No. 1 for the provision of HIV para-professional behavioral health services. The amendment increases the contract dollar amount by \$20,000 and replaces the budget narrative and fee schedule. Total funding for the period ending February 28, 2003, will increase from \$65,000 to \$85,000. (C8602610101)
- b) Amendment No. 1 for the provision of HIV targeted outreach (MSM) services. The amendment increases the contract dollar amount by \$19,990 and replaces the budget narrative and fee schedule. Total funding for the period ending February 28, 2003, will increase from \$56,000 to \$75,990. (C8602624101)

TRANSFER OF FEDERAL RYAN WHITE FUNDING TO RYAN WHITE TITLE II ARIZONA DRUG ASSISTANCE PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to allow the Maricopa County Department of Public Health (MCDPH) to transfer not-to-exceed amount of \$300,000 in federal Ryan White funding to the Ryan White Title II Arizona Drug Assistance Program (ADAP) at the Arizona Department of Health Services (ADHS) for the current budget term of March 1, 2002, to February 28, 2003, through the execution of an IGA with ADHS. (C86026322) (ADM2133)

GRANT FUNDS FROM BUREAU OF PRIMARY HEALTH CARE, U.S. HEALTH AND HUMAN SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve and accept a two-year grant totaling \$340,000 from Bureau of Primary Health Care, U.S. Health and Human Services to expand the medical capacity of the Maricopa County Department of Public Health's Healthcare for the Homeless Program through June 30, 2004. By approving this agenda item, the Board will be authorizing the Chairman to sign all applications, contracts and subsequent administrative amendments related to this grant. By approving this agenda item, the Board will also be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2003 by not-to-exceed \$170,000. The remaining \$170,000 will be included in the Department's FY 2004 budget. (Clerk's Note: This item to be associated and filed with C86020732 effectively as amendment #2 to the original grant.) (C86030182)

GRANT FUNDS FROM BUREAU OF PRIMARY HEALTH CARE, U.S. HEALTH AND HUMAN SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve and accept \$100,000 in grant funds from Bureau of Primary Health Care, U.S. Health and Human Services to support substance abuse and mental health counseling services at the Maricopa County Department of Public Health's Healthcare for the Homeless Program. By approving this agenda item, the Board will be authorizing the Chairman to sign all applications, contracts and subsequent

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administrative amendments related to this grant. By approving this agenda item, the Board will also be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2003 by \$100,000. (Clerk's Note: This item to be associated and filed with C86020732 effectively as amendment #3 to the original grant.) (C86030192)

NON-FINANCIAL AFFILIATION AGREEMENT WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve a non-financial Affiliation Agreement with Maricopa County Community College District, to allow nursing and allied students to participate in learning experiences at the Maricopa County Department of Public Health. The agreement is effective upon Board of Supervisors' approval. The agreement has no termination date but does include a 90-day termination provision. (C86030260)

NON-FINANCIAL STATEMENT OF AGREEMENT WITH CENTERS FOR DISEASE CONTROL

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve and sign a non-financial Statement of Agreement with the Centers for Disease Control (CDC), to allow a CDC Prevention Specialist to participate in a two-year field assignment at the Maricopa County Department of Public Health. The agreement is effective upon Board of Supervisors' approval. (C86030270)

EXPENDITURE BUDGET APPROPRIATION AND TRANSFER

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an expenditure budget appropriation and transfer of up to \$10,000,000 reserved in the FY 2002-2003 "Appropriated Fund Balance Contingency for Pre-Paid Enterprise Software License" to "Appropriated Fund Balance Other General Fund Programs-Pre-Paid Enterprise Software License" to fund the Microsoft Desktop Enterprise Agreement and related expenditures. (C41030011) (ADM2705)

CONTRACT AWARD FOR DESIGN-BUILD OF MARICOPA COUNTY SHERIFF'S OFFICE TRAINING FACILITY

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize the Facilities Management Department (FMD) to proceed with contract award for the design-build of the "Maricopa County Sheriff's Office Training Facility" as initially authorized in agenda item No. C70020135. Project No. 2000117080 is in the FY 2002-2003 Detention Capital Improvement Plan budget and will be located at the Durango Complex between 35th Avenue and the new Lower Buckeye Jail. Additionally, authorize an amendment to the five-year CIP approved by the Board on June 17, 2002, for the Sheriff's Training Facility (Fund 455) decreasing the year one (FY 2002-2003) project budget by \$1,028,845 from \$10,674,246 to \$9,645,401 and increasing the year two (FY 2003-2004) project budget by \$1,028,845 from \$371,155 to \$1,400,000. The requested action has a net impact of \$0 on the total Sheriff's Training Facility five-year project budget. The proposed amendment is necessary because the project was delayed for re-review by FY 2001-2002 Budget Administration Memo No. 7. (C70030105)

PROFESSIONAL SERVICE CONTRACTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve professional service contracts to provide "as needed" mechanical engineering services for a two-year period (each contract). The consultants will provide planning, programming, estimating, design,

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and construction administration services for various County projects. Consultant fees for the two-year periods shall be \$250,000 or less (each contract) and are paid by the County's Major Maintenance budget or by budgeted department funds.

- a) Applied Engineering, Inc. (C70030135)
- b) Durand-Hillis-Mouw, LLC (C70030145)
- c) FOC Mechanical, Inc. (C70030155)
- d) Kraemer Engineering, Inc. (C70030165)

EASEMENTS, RIGHT-OF-WAY DOCUMENTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

DD-9358 R/W Dedication – State Land Department State of Arizona – Parcel No.: 503-30-n/a.
(TS)

DD-9384 R/W Dedication – Warranty Deed - Parcel No. 219-22-014G – Harold V. Bliss and
(TS) Karen M. Bliss – for the sum of \$10.00.

DD-9384 R/W Dedication – Purchase Agreement and Escrow Instructions - Parcel No. 219-22-
(TS) 014G – Harold V. Bliss and Karen M. Bliss.

REIMBURSEMENT TO SALT RIVER PROJECT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve reimbursement to Salt River Project in the amount of \$25,003.40 for costs incurred for the relocation design of their electrical facilities that are in conflict with the Maricopa County Department of Transportation (MCDOT) Project 68969, Power Road, Guadalupe to Baseline. MCDOT acknowledges that SRP has prior rights for these facilities. The cost may not exceed the current estimated amount of \$25,003.04 by more than 10%. Also, approve the transfer of \$27,503 from Project No. 68719, Prior Years Projects, to Project 68969 in current FY 2002-03. (C64023045) (ADM2000-006)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF GLENDALE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approval of an Intergovernmental Agreement between the Maricopa County Department of Transportation and the City of Glendale. This agreement is for the AZTech Smart Corridors Program and requires the City to assume operations and maintenance of all Smart Corridor equipment that will be constructed within the City by Maricopa County. (C64030152)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

INCREASE IN NOT-TO-EXCEED POOL FOR HOME HEALTH CARE SERVICES CONTRACTS

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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an increase of \$7,611,372 to the not-to-exceed pool of \$38,370,000 for Home Health Care Services contracts. This will create a new aggregate not-to-exceed amount of \$45,981,372. The current pool of contracts are being extended through December 31, 2002, via Article 13 procurement. This increase will fund Home Health Care Services contracts for Maricopa Integrated Health System-Health Plans (MIHS-HP) members through December 31, 2002, at which time MIHS plans to implement revised agreement(s). (C60021041) (C60010861ZZ)

CONTRACT WITH SUN HEALTH CORPORATION dba BOSWELL MEMORIAL HOSPITAL AND DEL E. WEBB MEMORIAL HOSPITAL

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a new contract with Sun Health Corporation dba, Boswell Memorial Hospital, and Del E. Webb Memorial Hospital for provision of hospital services for Maricopa Integrated Health System – Health Plan (MIHS-HP) members. The term of the contract is August 1, 2002, through September 30, 2006. This contract will be funded through the pool established by Agenda C60020671, for all hospital services for an amount not-to-exceed \$62,010,000 through September 30, 2002. This contract has a 90-days termination for convenience provision. (C60030010)

ADD 50 CONTRACT SLOTS TO POOL FOR PRIMARY CARE PHYSICIAN SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to add an additional 50 contract slots to the existing pool for Primary Care Physician services (C60021881ZZ). Each contract number is reserved for an additional Primary Care Physician. PCPs are added as they are credentialed by Maricopa Integrated Health System (MIHS) Medical Staff Services. The total not-to-exceed pool amount will remain at \$7,055,182.76. The initial contract period is three years and may be extended for additional periods, not-to-exceed ten years. Either party may terminate the individual agreements with 90-days prior written notice. (C60030251ZZ) (C60030261 through C60030751)

ADD 250 CONTRACT SLOTS TO POOL FOR SPECIALTY CARE PHYSICIAN SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to add an additional 250 contract slots to the existing pool for Specialty Care Physician services (C60021111ZZ). Each contract number is reserved for an additional specialty care physician. Specialty Care Physicians are added as they are credentialed by Maricopa Integrated Health System (MIHS) Medical Staff Services. The total not-to-exceed amount will remain at \$4,233,109.65. The initial contract period is one year and may be extended for additional periods, not-to-exceed ten years. Either party may terminate the individual agreements upon 90-days prior written notice. (C60032001ZZ) (C60032011 through C60034501)

SETTLEMENT AGREEMENT AND RELEASE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a Settlement Agreement and Release concerning Life Care Centers of America, Inc. v. Arizona Health Care Costs Containment Systems and Maricopa Integrated Health Systems--Maricopa County Superior Court Cause No. CV 2001-003566. This will finally resolve all claims which were the subject of the aforesaid lawsuit. (Discussed in Executive Session on August 5, 2002.) (C60034510) (ADM409)

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TERMINATION OF RESIDENT CONTRACT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the termination of resident contract slot associated with Dr. Stephanie Milani. This contract has not been, and will not be executed. (C90026681YY) (C90025621ZZ)

CONTRACT WITH VALRIC CORPORATION dba CARE PLUS MOBILE MEDICAL

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a contract with Valric Corporation dba Care Plus Mobile Medical, for the provision of Phlebotomy Services to Maricopa Integrated Health System members. Services are rendered in the members' residences and at Desert Vista Behavioral Health. The contract is effective August 1, 2002, through July 31, 2004. The aggregate not-to-exceed amount is \$600,000 for the term of the contract (\$450,000 for MMC Laboratory and \$150,000 for Desert Vista Behavioral). Either party can terminate this contract with 90-days written notice. This contract may be extended for additional periods, not-to-exceed a total term of five years. (C90030021)

APPOINT SANDOR SHUCH TO THE STATE BOARD OF EQUALIZATION

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to appoint Sandor Shuch to the State Board of Equalization, representing District 1. The term of the appointment will be from the date of Board approval through December 31, 2004. (C01030017) (ADM4908)

APPOINT SUSAN E. SCHUERMAN - CORRECTIONS OFFICER RETIREMENT BOARD

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to appoint Susan E. Schuerman as the Chairman's designee to the Corrections Officer Retirement Board. The term of the appointment will be from August 7, 2002, through December 31, 2002. (C02030027) (ADM3332)

HEARING SET - ANIMAL CARE AND CONTROL SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, September 4, 2002, to consider implementation of a fee schedule for dog and cat adoptions, and to consider the implementation of new fees and adjustment to existing fees. The proposed fees will be attributable to and defray or cover the expense of the product or service for which the fees will be assessed. No fee will exceed the actual cost of the product or service provided. (C79020617) (ADM2305)

The following new fees are being proposed:

1. Adoption Package Fee \$0-\$150 scale: The cost of providing adoptable animals to the public varies and can accumulate to more than \$200 for each dog or cat based on the cost of housing, vaccinating, licensing, and providing basic clinical care for each specific animal. These costs are equal to or more than the maximum suggested Adoption Package Fee which will be used to cover the expense. The Adoption Package Fee will be based on the following:
\$54 basic adoption fee (dogs) or \$44 basic adoption fee (cats)
\$30 for 3 days board

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\$25 spay surgery
\$10 rabies vaccination
\$10 for a 4-1 vaccination or a 3-1 vaccination
\$10 parasite medication
\$10 license tag
\$25 veterinary services fee
\$50 impound fee
Adoptable dogs and cats may be held for longer periods of time at a cost
of \$10 per day to maintain them.

2. Bordatella vaccination \$10
3. Cat Leukemia \$10
4. Cat Leukemia test \$15
5. Cat Leukemia/FIV combo test \$20
6. Cat in trap (1st free) \$61
7. Cats – Municipalities \$61
8. Frontline \$10 (Replaces tick dip fee)
9. Euthanasia \$25 Replaces owner requested euthanasia fee)
10. Owner Attended Private Euthanasia \$55
11. Animal Carcass Disposal \$5
12. Microchip \$15
13. Wellness Exam – non-routine \$15
14. Earflush- Dog – non-routine \$20
15. Earflush- Cat – non-routine \$15
16. Dental – Dog – non-routine \$25
17. Dental – Cat - non-routine \$20
18. Groom/shave – non-routine \$20
19. Umbilical Hernia Repair – non-routine \$15
20. Dog – Heartguard – non-routine \$20
21. Dog – Heartworm Test – non-routine \$15
22. Owner Relinquishment \$20

The following fee increases are proposed:

1. Rabies Vaccination \$10 from \$6
2. 3-1 (cat) vaccination \$10 from \$6
3. 4-1 (dog) vaccination \$10 from \$6
4. Daily Board – Dog \$10 from \$7
5. Daily Board – Cat \$10 from \$7
6. Laboratory – euthanasia required \$50 from \$33
7. Medication Dispensed Cost Recovery from \$8
8. Progressive Kennel Permit Cost Recovery of \$90 from \$75 for initial permit, administrative processing and first inspection visit. Subsequent inspection visit returns additional cost recovery fee - Effective September 1, 2002
9. Kennel Permit – Subsequent Inspection Return \$50 (each additional visit)

AC&C is not requesting an expenditure budget increase at this time because associated expenses will be absorbed within the existing base budget. In addition, fee revenue is estimated based upon the pilot program that was recently implemented, and cannot be substantially validated at present. OMB has reserved additional revenue budget capacity of \$500k in General Government for FY 2002-03, which would be sufficient to cover revenues from these proposed fees.

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Additionally, AC&C requests the authority to temporarily reduce adoption package fees during special adoption days and special adoption events held periodically each year when the shelters become overcrowded. The resulting reduction in revenue from these events is offset by the savings in reduced euthanasia costs.

HEARING SET - ENVIRONMENTAL SERVICES CODE CHANGES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, September 18, 2002, to review and approve proposed revisions to Chapters II (Sewage & Waste), & V (Water Supply) of the Maricopa County Environmental Health Code (MC Ordinance P-14). The Code amendments will reflect recent changes to the Arizona Administrative Code and Department reference clarification. These revisions will align the Maricopa County Environmental Health Code with recent changes to Arizona Administrative Code without affecting permit fees. Prior to acquiring Board of Health approval, information and public comments were gathered, then incorporated into the proposed revisions via Department initiated stakeholder meetings. (C88030027) (ADM2102)

HEARING SET - PLANNING AND DEVELOPMENT – STREET NAME CHANGE

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, September 4, 2002, to change a street name from Via de Palmas to Cedar Place in the plat of Circle G at Riggs Homestead Ranch Unit 4, Maricopa County, Arizona. The request is being made to correct a platting error. (C44030020) (ADM2018)

HEARING SCHEDULED - PLANNING AND ZONING CASES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to schedule a public hearing on any Zoning and Building Code cases in the unincorporated areas of Maricopa County for August 21, 2002, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2001-126

MINUTES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve minutes of the Board of Supervisors meetings held June 17, 19, 21, and 26, 2002.

PRECINCT COMMITTEEMEN

There were no requests to approve the appointment or removal of precinct committeemen pursuant to A.R.S. 16-231.B. (ADM1701)

OFFICIAL APPOINTMENT AND OATH OF OFFICE - CLERK OF THE BOARD OF SUPERVISORS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to authorize the Official Appointment and Oath of Office of Alma Valenzuela Hernandez as limited special deputy clerk in matters related to service of process, claims, and resolutions, in the Office of the Clerk of the Board of Supervisors.

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SECURED TAX ROLLS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

Tax Roll	From Resolution No.	To Resolution No.	Net Result
1999	6805	6840	- \$31,083.28
1999	6841	6846	- \$49,483.52
2000	9122	9145	- \$4,387.44
2000	9197	9220	- \$223,822.04
2000	9221	9234	- \$3,545.38
2001	33163	33214	- \$409,639.04
2001	33215	33259	- \$1,333.84
2001	33304	33328	- \$8,350.92

ACCEPT AFFIDAVIT OF COMPLIANCE FROM THE SALT RIVER PROJECT

Pursuant to A.R.S. §16-229, motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to accept an Affidavit of Compliance from the Salt River Project regarding applicable federal and state elections laws. (ADM4306)

DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

Name	Warrant	Fund	Amount
Carol Mael – Custodian	330500821	Expense	\$8.64
Patricia J. Rose, Ph.D.	AD00320517399	Expense	\$975.00
Joel Zepeda	45018	Payroll	\$375.00
Trina M. Ablog	C01338	Payroll	\$606.86
Deanne Ealey	0002601	Payroll	\$730.84
Northwest Justice Court	320557438	Expense	\$375.00
Jonathan Daniel Batt	C048418	General	\$75.00

SCHOOL

Name	School	Warrant	Amount
Kristen L. Olsen	Mesa	72-83005	\$215.61
Kristen L. Olsen	Mesa	73-303	\$117.69
Kathleen Holly	Mesa	72-0082635	\$1,629.08
Angela G. Solylo	Pendergast	12-0148080	\$147.76
Dawn Costales	Alhambra	13-16388	\$541.53
Estrella Foothills H.S.	District 089	42-0144551	\$200.00
Susan Bliss	Phoenix Elementary	42-0150414	\$842.00

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Audrey Guydon	Mesa	72-0092692	\$1,673.05
Dora Kisto	Queen Creek	12-159107	\$523.24
Jenson Palacios	Mesa	72-0088282	\$369.73
Earlene M. Lollis	Mesa	72-0089328	\$256.02
Gwendolyn S. Gunn	Mesa	72-0086487	\$1,259.25
Jason B. Lindsay	Mesa	72-0086273	\$1,264.75
Mark Dorson	Mesa	72-0090864	\$1,429.13
Garrett Mehok	Mesa	72-0090667	\$1,478.87
Janis S. McDonald	Mesa	72-0090260	\$616.20
Joseph R. Ianni	Mesa	70-0091978	\$1,229.32
Esther Figueroa	Mesa	72-0092134	\$149.33
Southwest Storage	Murphy Elementary	43-0003845	\$316.72
Teresa Fear	Higley Unified	43-0002580	\$235.00
Stephanie McCoy	Pendergast	42-137813	\$53.49
Alysa Buxton	Madison	12-156326	\$341.86
Chris Seehorn	Agua Fria Union	13-4795	\$106.83
Alliant	Litchfield Elementary	42-0145571	\$2,033.50
Spencer McNiven	Mesa	72-0089887	\$121.50

STALE DATED WARRANTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Barbara Briody	\$ 1,730.34	Carlos Vizcarra	\$ 3,179.18
Sonya Bostrom	17.78	Robert Newton	91.00
Cal-Bay Mort./Mary L. Kaupe	601.77	Ray Boyer	1,311.44
Cenlar/Sabiha Kazmi	69.16	Indy Mac Bank/Shugin Zhao	31.33
Valley Anesthesiology Consultants	552.50	Jennifer Cummings	306.00

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the settlement of tax cases, list dated August 7, 2002. (ADM704)

1998 / 1999 / 2000

ST 02-000029

2001/2002

TX 01-000264

2002

ST 01-000259

TX 01-000514

TX 01-000569

TX 02-000027

2003

ST 02-000032

TX 02-000111

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CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the Assessor's recommendation to change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

PARCEL NUMBER	YEAR	OWNER	CLASS FROM	CLASS TO
102-23-379	1999	Jose Luna	LC/6	LC/5
102-23-379	2000	Jose Luna	LC/4	LC/3
102-23-379	2001	Jose Luna	LC/4	LC/3
103-18-624	1999	David Bustos	LC/6	LC/5
103-18-624	2000	David Bustos	LC/4	LC/3
103-18-624	2001	David Bustos	LC/4	LC/3
103-41-057	1999	Jose Manuel Chavez	LC/6	LC/5
103-41-057	2000	Jose Manuel Chavez	LC/4	LC/3
103-41-057	2001	Jose Manuel Chavez	LC/4	LC/3
108-33-178	2000	Raul Calderon	LC/4	LC/3
108-33-178	2001	Raul Calderon	LC/4	LC/3
108-33-178	2002	Raul Calderon	LC/4	LC/3
114-08-008	2001	Woolcott Richard	LC/4	LC/3
118-07-071	1999	Thomas & Cheryl Prescott	LC/6	LC/5
118-04-071	2000	Thomas & Cheryl Prescott	LC/4	LC/3
118-04-071	2001	Thomas & Cheryl Prescott	LC/4	LC/3
131-06-319A	1999	Lewis Settlemyre	LC/6	LC/5
131-06-319A	2000	Lewis Settlemyre	LC/4	LC/3
131-06-319A	2001	Lewis Settlemyre	LC/4	LC/3
133-09-031K	1999	Miguel Jimenez	LC/6	LC/5
133-09-031K	2000	Miguel Jimenez	LC/4	LC/3
133-09-031K	2001	Miguel Jimenez	LC/4	LC/3
138-30-048	1999	Stephen M Smith	LC/6	LC/5
138-30-048	2000	Stephen M Smith	LC/4	LC/3
138-30-048	2001	Stephen M Smith	LC/4	LC/3
140-63-065	1999	Manuel Lopez	LC/6	LC/5
140-63-065	2000	Manuel Lopez	LC/4	LC/3
140-63-065	2001	Manuel Lopez	LC/4	LC/3
142-27-093	1999	Elenita Mazo	LC/6	LC/5
142-27-093	2000	Elenita Mazo	LC/4	LC/3
142-27-093	2001	Elenita Mazo	LC/4	LC/3
149-33-305	2000	Daniel Quinto	LC/4	LC/3
149-33-305	2001	Daniel Quinto	LC/4	LC/3
149-33-305	2002	Daniel Quinto	LC/4	LC/3
150-09-394	1999	Delia Robles	LC/6	LC/5
150-09-394	2000	Delia Robles	LC/4	LC/3
150-09-394	2001	Delia Robles	LC/4	LC/3
150-23-233	1999	Vera B Green	LC/6	LC/5
150-23-233	2000	Vera B Green	LC/4	LC/3
150-23-233	2001	Vera B Green	LC/4	LC/3
160-13-071	1999	Mildred Wadlow	LC/6	LC/5
160-13-071	2000	Mildred Wadlow	LC/4	LC/3
160-13-071	2001	Mildred Wadlow	LC/4	LC/3

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163-34-088	1999	Anne M Smith	LC/6	LC/5
163-34-088	2000	Anne M Smith	LC/4	LC/3
163-34-088	2001	Anne M Smith	LC/4	LC/3
173-81-095	1999	Mary Peak	LC/6	LC/5
173-81-095	2000	Mary Peak	LC/4	LC/3
173-81-095	2001	Mary Peak	LC/4	LC/3
175-05-029	2000	Richard Doerfert	LC/4	LC/3
175-05-029	2001	Richard Doerfert	LC/4	LC/3
175-05-029	2002	Richard Doerfert	LC/4	LC/3
200-44-275	1999	Elena Popescu	LC/6	LC/5
200-44-275	2000	Elena Popescu	LC/4	LC/3
200-44-275	2001	Elena Popescu	LC/4	LC/3
218-41-048	1999	G Robert Griel	LC/6	LC/5
218-41-048	2000	G Robert Griel	LC/4	LC/3
218-41-048	2001	G Robert Griel	LC/4	LC/3
300-58-078	1999	Reyes Garza	LC/6	LC/5
300-58-078	2000	Reyes Garza	LC/4	LC/3
300-58-078	2001	Reyes Garza	LC/4	LC/3
303-73-017	1999	Frank Losito	LC/6	LC/5
303-73-017	2000	Frank Losito	LC/4	LC/3
303-73-017	2001	Frank Losito	LC/4	LC/3
503-98-756A	1999	Josephine Schmer	LC/6	LC/5
503-98-756A	2000	Josephine Schmer	LC/4	LC/3
503-98-756A	2001	Josephine Schmer	LC/4	LC/3

COMPROMISES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held July 22, 2002.) (ADM407)

David Amador	\$3,000.00
Victor Ante	915.48
Raymon Baldizan	1,200.00
Tracey Burnette	1,848.95
Justin Burns	3,771.00
Cesar Martinez	3,601.23
Marianna Martinez	2,741.95
Brian Schilz	7,500.00
Troy Stradling	7,500.00
Carol Vance	1,600.00
Aracelly Vasquez	2,351.20
Bert Wallace, V.	4,700.00
Quannah Williams	195.00

WRITE-OFFS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to accept the requested write-offs as payment in full for the following cases: (Discussed in Executive Session held July 22, 2002.) (ADM407)

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Gracie Allen-Grady	\$ 4,187.44
Julian Coto-Larurean	1,064.40
Robert Gile	8,294.78
Floy Robinson	3,352.50
Rajagopalan Sethuraman	13,172.98

PUBLIC COMMENT

No members of the public came forward to comment at this time. (ADM605)

SUPERVISORS' COMMENTS

Supervisor Wilcox said that she had read an article in the morning paper that complained about some public bodies taking too long in their meetings but that the Maricopa County meetings were so well prepared they were able to finish quickly. She pointed out that with a major agenda, monies being allocated and grants accepted this morning's meeting had only taken approximately 15 minutes so far attesting to the efficiency of this governmental body. (ADM606)

Supervisor Brock said that another newspaper article had reported on the major traffic challenges that parts of the Valley are currently dealing with and will continue to confront in the next 20 years. He referenced the dedication of a new bridge over the Queen Creek Wash on Power Road in the Southeast Valley that was the culmination of work done by three governmental entities, Queen Creek, Gilbert and the County. He also reported that Maricopa County will partner with Gilbert next year in the installation of two Justice Courts in their new municipal complex. He said the County enjoys its collaborations with these and other city governments in serving residents of the County.

Supervisor Wilson complimented the Flood Control District on the presentations they had prepared and presented to town governments in the West Valley to educate residents on necessary flood control measures. He said he hadn't realized the damage caused by flooding in the Valley until seeing those presentations and that he appreciated the accurate information that had been imparted to those living there.

Chairman Stapley commented on the new school year and said that County School Superintendent Dr. Sandra Dowling had asked him to welcome more than 100 new teachers to the County schools. He said that the Pappas schools (for homeless children in the community who have no address and cannot attend regular district schools) provide healthy meals, health checkups and care, needed clothing and the incentives to attend classes and to seek an education. He said, "It's just one of the great things in local government that we get to participate in and I was touched by that opportunity and appreciate the invitation to speak on behalf of the Board." He said he hoped citizens would appreciate some of the efforts that the schools and other County departments, such as public health and the integrated healthcare system contribute to the standard of living in Maricopa County, and to realize that County Government touches the lives of so many people in many different ways.

PLANNING AND ZONING

Tom Manos left the dais at the end of this portion of the Board meeting. Members, as given above, remained in session. Joy Rich, Director of Planning and Development, Darren Gerard, Principal Planner, and David Benton, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

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CONSENT AGENDA DETAIL:

1. **S2001-087 District 3**
 Applicant: Pederson Group for Anthem Marketplace
 Location: Southeast corner of Anthem Way and Gavilan Peak Parkway (in Anthem)
 Request: Final Plat in the C-2 C.U.P.D. zoning district for Anthem Marketplace
 (approximately 16 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the final plat.

2. **S2002-002 District 1**
 Applicant: JMA Engineering on behalf of Transnation Title Insurance Company, J. Wesley Brooks and L. Lee Brooks, and Phillip Dale Ellsworth and Marjorie A. Ellsworth
 Location: Northeast of the northeast corner of Hunt Highway and Arizona Avenue (in the Chandler/Sun Lakes area)
 Request: Final Plat in the R1-18 zoning district for Santan Vista Unit 2A (approximately 40 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the final plat.

3. **Z2001-170 District 5**
 Applicant: Matthew & Jennifer Kominek
 Location: 21620 Old U.S. Highway 80 (in the Arlington area)
 Request: Special Use Permit for a single-wide mobile home in the Rural-190 zoning district
 (8.24 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2001-170, subject to the following stipulations "a" through "j". Commissioner Barney seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "Kominek's Place; Special Use Permit: Single Wide" consisting of one (1) full-size sheet, dated June 24, 2002 and stamped received June 26, 2002 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Kominek Residences Special Use Permit" consisting of two (2) pages, undated but stamped received March 2, 2002 except as modified by the following stipulations.
- c. Building Permits must be for the existing single-wide mobile home.
- d. A new septic tank permit must be obtained from the Maricopa County Environmental Services Department.
- e. That portion of the driveway that exists in the Maricopa County right-of-way must be paved as per the Maricopa County Department of Transportation.

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- f. Major changes to this Special Use Permit must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. The Department of Planning and Development may administratively approve minor changes. Staff will determine the difference between minor and major changes.
- g. This Special Use Permit shall expire 20 years from Board of Supervisors approval.
- h. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Maricopa County Planning & Development Department or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- i. Non-compliance with the conditions of approval will be treated as a violation in accordance with The Maricopa County Zoning Ordinance (Violation and Penalty). Further, non-compliance of the conditions of approval may be grounds for the Commission to take action in accordance with The Maricopa County Zoning Ordinance.
- j. A Status Report is required one-year from the date of Special Use Permit approval by the Board of Supervisors. The purpose of the report is to ensure compliance with the listed stipulations.

Matthew Kominek, applicant, was available for questions, but there were none.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the request for a Special Use Permit.

REGULAR AGENDA DETAIL:

- 4. Z2000-172 District 1**
Applicant: Richard Andrews for Marjeans' 40 LP
Location: Northeast corner of Ellsworth Road and Riggs Road (in the Queen Creek area)
Request: Rezone from Rural-43 to R1-35 (37.96 ac.) and C-1 P.D. (2.05 ac.) for William Heights

COMMISSION ACTION: Commissioner Barney moved to recommend approval of Z2000-172 commercial rezoning, subject to the following stipulations "a" through "p". Commissioner Beckley seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the zoning exhibit entitled "William Heights" consisting of one (1) full-size sheet, dated June 5, 2002 and stamped received June 7, 2002 except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "Williams Heights" consisting of 11 pages, dated June 7, 2002 and stamped received June 7, 2002 except as modified by the following stipulations.
- c. A soils test plan to determine the acceptability of septic systems for the subdivision shall be submitted and approved by the Maricopa County Environmental Services Department.

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The soil test results shall be submitted to the Department for review and approval prior to the submission of the final plat for approval by the Board of Supervisors.

- d. Prior to final plat approval, the applicant shall submit a signed and recorded water service agreement with a recognized service provider.
- e. Dedication of additional right-of-way to bring the total half-width dedication to 70' for Riggs Road and 70' for Ellsworth Road shall occur prior to zoning clearance.
- f. Development of the site shall include half-street improvements as determined by the Maricopa County Department of Transportation along the perimeter of the site.
- g. The site shall be developed in accordance with required sight triangles for Maricopa County.
- h. All interior streets within the proposed development shall be constructed to minimum County standards.
- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- j. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- k. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- l. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- m. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- n. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- o. Concurrent with submittal of the Plan of Development for the C-1 P.D. parcel, a Traffic Impact Study shall be submitted.
- p. Parcel A, the commercial site is subject to a Plan of Development (P.D.) overlay zone.

Joy Rich, Director of Planning and Development, said this rezoning request is for a 32 lot single family subdivision near Queen Creek and a commercial corner that would be added at a later date. The Town

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of Queen Creek is in favor of the residential portion of this proposal but do not favor the commercial aspect. Because of this, staff recommends approval of the residential but not the commercial portion. Planning Commission recommends approval for the plan in toto.

Supervisor Brock said he would be voting for approval of the rezoning and felt the commercial corner would become one of the busiest in the area because of the need for it in that location.

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to concur with the Planning Commission recommendation for approval of this request, subject to stipulations "a" through "p."

- 5. Z2001-114 District 4**
Applicant: REA Land Consulting for Estella Lyvone May, Trustee
Location: 10808 W. Oakmont Drive - between 107th Avenue and 108th Avenue on the north side of Oakmont Drive (in the Sun City area)
Request: Major Amendment to a Special Use Permit for a wireless communications facility in the R-5 S.C. zoning district, Wireless Communication Use District 1 for The Triangle Tower (0.05 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2001- 114, subject to the following stipulations "a" through "i". Commissioner Smith seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "PHX-322 Triangle Lattice Tower" consisting of five (5) full-size sheets, dated revised June 3, 2002 and stamped received June 6, 2002, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Project Submittal Narrative for a Special Use Permit" consisting of three pages dated October 25, 2001 and stamped received October 26, 2001 except as modified by the following stipulations.
- c. Prior to zoning clearance, the subject property shall be combined into one Assessor Parcel Number.
- d. A drainage clearance shall be issued by the Maricopa County Flood Control District prior to construction of the CMU wall around the ground equipment.
- e. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- f. This Special Use Permit shall expire twenty-five (25) years from the date of approval by the Board of Supervisors or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- g. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

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- h. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- i. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Joy Rich, Director of Planning and Development, said there is already an existing tower 473 feet tall that is currently being used for wireless communication transmission purposes. There is opposition to this increased use and some residents want the tower to be removed completely. She said that staff and the Planning Commission recommend approval subject to stipulations.

Rulon E. Anderson spoke for the applicant and said he had been hired to bring the tower facility into compliance as compliance requirements had never been completed. He said that this tower will stay in place and they want to bring Qwest and three other carriers in to use this facility. To do so would avoid construction of additional towers to service the area. There have been attempts to co-locate other cell phone industries on the tower but all have failed because of its non-compliant status.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the recommendation from the Planning Commission for approval subject to stipulations "a" through "i."

- 6. Z2001-158 District 2**
Applicant: John Giles for Lann and Gregg Goodman
Location: North of the northwest corner of Ellsworth Road and Adobe Road (in the east Mesa area)
Request: Special Use Permit for a riding and boarding stable in the Rural-43 zoning district for The Therapy Zone (2.37 acres)

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z2001-158, subject to the following stipulations "a" through "r". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled "The Therapy Zone" consisting of one full-size sheet, dated April 17, 2002 and stamped received May 6, 2002, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Special Use Permit for the Therapy Zone" consisting of 21 dated May 3, 2002 and stamped received May 6, 2002 except as modified by the following stipulations.
- c. Within 30 days of Board of Supervisors approval a revised site plan showing 65' half-width dedication for Ellsworth road as well as delineation of any additional existing on-site fencing and required labeling (fence material, fence height, and building height) shall be submitted to the Planning and Development Department.

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- d. The internal driveways and parking spaces shall be surfaced with a form of dust-proofing deemed acceptable by the Environmental Services Department within 60 days of Board of Supervisor approval or prior to the first event.
- e. Within 60 days of approval by the Board of Supervisors, the driveways within County right-of-way shall be paved.
- f. All refuse and animal wastes shall be stored within an enclosed and odor-proof container and disposed of in a timely manner.
- g. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- h. Future signage shall be limited to no more than 8' high and 20 sq. ft. The area of the sign would be measured on one side, but both sides of a detached sign may convey a commercial message. The placement of a sign will require a revised site plan that can be approved administratively by the Planning and Development Department.
- i. Within 60 days of Board of Supervisor approval the applicant shall ensure that the following items are address to the satisfaction of Maricopa County Environmental Services Department (MCESD):
 - i. The refurbished pool will require approval of MCESD as a public bathing facility.
 - ii. The septic system will require verification by MCESD that it can accommodate additional loading associated with this enterprise prior as a condition of building permit prior approval of occupancy.
- j. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Ellsworth Road prior to construction of MCDOT Ellsworth Road Project No. 68902.
- k. The business days and hours of operation shall be limited to Monday through Saturday from 8:00 a.m. to 8:00 p.m.
- l. There shall be a maximum of 20 clients and 10 horses on site at any given time.
- m. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff of the Planning and Development Department to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- n. This Special Use Permit shall expire ten (10) years from the date of approval by the Board of Supervisors or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- o. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

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- p. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- q. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- r. A six-foot tall CMU wall shall be required along the western boundary of the site.

Joy Rich, Director of Planning and Development, said this request is essentially for a therapy clinic that utilizes horses as part of the program. This does not strictly comply with the City of Mesa General Plan however they have indicated their support of this use. Two letters of support and 10 letters of opposition have been received and there were speakers in support and opposition at the Planning Hearing. Staff and Planning Commission recommended approval with stipulations "a" through "r."

Chairman Stapley said he welcomes this use to his district as it is an outstanding and very worthy effort to help those living with challenges. He indicated that it is in an appropriate location and said that the applicant has resolved the concerns of the neighbors. He indicated that he would support this request.

Supervisor Wilson expressed his appreciation of the people who are doing this project as he also considers it a very worthwhile operation that will take a lot of dedication and hard work to accomplish.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission for approval subject to stipulations "a" through "r."

- 7. Z2002-024 District 3**
Applicant: George Pingitore for Desert Foothills Garden Nursery
Location: 33840 N. Cave Creek Rd. (in the north Phoenix/Cave Creek area)
Request: Major Amendment to a Special Use Permit for a retail plant nursery in the Rural-43 zoning district for Desert Foothills Garden Nursery (2.29 gross acres)

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2002-024, subject to the following stipulations "a" through "p". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "Plan of Development for Desert Foothills Gardens Nursery, Inc.", consisting of one (1) full-size sheet, dated revised May 15, 2002, and stamped received May 30, 2002, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Application for Major Amendment to Existing Special Use Permit No. 93-43 for Desert Foothills Gardens Nursery", consisting of four (4) pages, dated revised May 15, 2002 and stamped received May 30, 2002, except as modified by the following stipulations.

- c. Signs must be located outside the ultimate right-of-way and the required clear-sight distance triangles.
- d. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- e. All parking and outdoors storage shall be screened from view from Cave Creek Road, Westland Road and the surrounding residential properties.
- f. All driveways within County rights-of-way shall be paved and maintained with asphalt or concrete.
- g. Interior circulation and parking areas shall be dust-proofed with a surface of roadway millings acceptable to the Department of Transportation and the Environmental Services Department.
- h. Building heights shall be limited to two stories and 30'.
- i. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors. Any request to extend the Special Use Permit shall be submitted prior to such expiration.
- j. The applicant shall provide a combination wrought-iron fence and/or adobe wall along the Cave Creek Road frontage. The fence/wall shall be located outside the ultimate right-of-way and clear-sight distance triangle. Live landscaping shall be provided on the external side of the fence/wall to help soften its appearance. The applicant shall complete this wall within five years from the date of Special Use Permit approval by the Board of Supervisors.
- k. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- l. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- m. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- n. The applicant shall pave the driveway on Westland Road in the County right-of-way.
- o. Driveways onto Cave Creek Road shall be right-in/right-out only for southbound traffic.
- p. The applicant is required to file a Status Report with the Planning and Development Department five years from the date of Special use Permit approval by the Board of

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Supervisors. The purpose of the report is to indicate that the applicant has complied with all stipulations of Special Use Permit approval.

Joy Rich, Director of Planning and Development, said the City of Phoenix General Plan does not designate this area for such use but the Desert Foothills Gardens Nursery is currently operating under a special use permit that will expire in several years. They have made some additions that caused them to fall out of compliance with their original permit in several ways. Ms. Rich said that they have decided to rework the entire permit to comply with the changes they have made and apply for a new permit. The City of Phoenix has suggested several esthetic improvements for them to make in addition to those already done including an adobe or wrought iron fence. The Planning Commission gave the applicant five years to complete this fence. Both staff and the Planning Commission recommend approval.

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the Planning Commission's recommendation for approval subject to stipulations "a" through "p."

- 8. TA2002-005 All Districts**
Applicant: Commission Initiative
Request: Amend the Maricopa County "Eye to the Future 2020" Comprehensive Plan to add a Cost of Development element per the Growing Smarter Act.

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of TA2002-005. Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 6-0.

Joy Rich, Director of Planning and Development, said this text amendment to the County's Comprehensive Plan would add a cost-of-development element as required by the Growing Smarter legislation. Staff has worked with the development community to formulate this element, receiving input from focus groups and others involved in the process. This new framework should add consistency and certainty to the cost-sharing process for development and it will set up a framework for further study. The Homebuilders Association endorsed this new element and community master-planners also support it. Staff and Planning Commission recommend approval.

Supervisor Wilcox asked if this new element would include flexibility to cover any special circumstances or a project that might be viewed differently from most.

Ms. Rich said it is a very broad policy document and will indicate where further study is needed. She said that the County covers a very big area in which circumstances vary widely and the flexibility to address issues as they arise has been included in the new element.

Supervisor Brock agreed with the necessity of including flexibility because the County is huge and interests of residents are so varied. He perceives some of the local government mandates as having become too rigid in some matters.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (4-0-1) to concur with the recommendation for approval given by the Planning commission with the inclusion of ample flexibility to manage and address any special circumstances and/or issues as they arise.

**RESOLUTION OF AMENDMENT
MARICOPA COUNTY 2020, EYE TO THE FUTURE
AMENDING THE MARICOPA COUNTY COMPREHENSIVE PLAN**

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BE IT RESOLVED BY THE MARICOPA COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

WHEREAS, Title 11, Section 806 of the Arizona Revised Statutes directs the Planning and Zoning Commission to prepare a comprehensive plan of the area of jurisdiction of the county for the purpose of bringing about "coordinated physical development in accordance with the present and future needs of the county. The comprehensive plan shall be developed so as to conserve the natural resources of the county, to ensure efficient expenditure of public funds, and to promote the health, safety, convenience, and general welfare of the public."; and

WHEREAS, this Comprehensive Plan has been developed to accommodate growth and economic prosperity, to enhance the high quality of life in Maricopa County, and to facilitate continued development in a coordinated and harmonious fashion; and

WHEREAS, this Board acknowledges the responsibility to exercise its power in establishing land use patterns and development requirements which mitigate adverse impacts to the environment and ensure compatible land uses while enhancing individual freedom and opportunity, respecting private property rights, and facilitating competition and the operation of a free marketplace; and

WHEREAS, growth in accordance with sound planning can result in a stronger economy, more efficient use of infrastructure, compatible development patterns, decreased pollution, protection of natural resources, and an improved quality of life; and

WHEREAS, consideration of development issues requires a regional perspective to ensure coordinated development and preservation of the quality of life in the county; and

WHEREAS, this Board seeks to establish an efficient and cost effective government framework to accomplish the foregoing with well designed processes, coordinated effort, and careful avoidance of duplicative or conflicting requirements with other government agencies; and

WHEREAS, this Comprehensive Plan will provide the Board of Supervisors and other decision makers in the county, both public and private, with proper long range guidelines to make decisions based on clear regional policies; and

WHEREAS, prior to preparation of the Comprehensive Plan document, broad public participation and input was sought in order to understand issues concerning growth; to develop a vision for the County; and to establish policies for the plan's elements to achieve the goals and desires of the community; and

WHEREAS, the General Plans of the cities and towns within Maricopa County have been carefully considered as they relate to unincorporated lands; and

WHEREAS, an Oversight Steering Committee, comprised of members of the Board of Supervisors, the Planning and Zoning Commission, and the Transportation Advisory Board, was established to provide guidance and strategic direction in the preparation of this Comprehensive Plan; and

WHEREAS, this Comprehensive Plan is a policy guide and is intended to give direction to the creation and revision of Area Plans and is intended to be changed from time to time by the Board of Supervisors; and

WHEREAS, the Planning and Zoning Commission of Maricopa after careful study and a public hearing, has recommended approval of this Comprehensive Plan to the Board of Supervisors; and

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WHEREAS, the Board of Supervisors has carefully considered the Comprehensive Plan and has held a public hearing and finds that said Plan constitutes a suitable, logical, and timely document to guide the future development of Maricopa County to the year 2020.

NOW, THEREFORE, BE IT RESOLVED, that the document consisting of the text, maps, and supporting materials entitled "Maricopa County 2020, Eye to the Future" and dated 1997, is hereby amended this 7th day of August, 2002 to add new plan elements as required by State Statutes; and

RESOLVED FURTHER, the goals, objectives, and policies contained in each plan element and the recommended Comprehensive Plan Agenda for Action be implemented as policy.

RESOLVED FURTHER, this Comprehensive Plan may be amended from time to time to reflect changing community needs or desires, to comply with statutory requirements, and to represent the best thinking of the Board of Supervisors and the Planning and Zoning Commission; and

RESOLVED FURTHER, the Commission shall review the Comprehensive Plan every four years and recommend amendments, if it determines any should be made. The review should be timed so that necessary amendments to the Comprehensive Plan be adopted prior to the development of the Capital Improvement Programs of the Department of Transportation and the Flood Control District; and

RESOLVED FURTHER, the Planning and Zoning Commission shall conduct a major update of the Comprehensive Plan every ten years; and

RESOLVED FURTHER, the General Plans of the cities and towns of Maricopa County shall serve as a guide for the physical development of unincorporated lands, and that such development shall be generally consistent with the General Plans in which the lands are contained, provided the General Plans have been updated within five years and have included the values and desires of the residents and property owners of unincorporated areas; and

RESOLVED FURTHER, all matters affecting the rezoning or physical development of lands in the unincorporated county submitted to the Planning and Zoning Commission shall be in general conformity to the goals, objectives, and policies of the Plan, or to an approved Development Master Plan. All submittals shall include a report indicating general conformity to the Plan.

DATED this 7th day of August 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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| 9. | TA2002-006 | All Districts |
| | Applicant: | Commission Initiative |
| | Request: | Text Amendment to adopt amendments to the Maricopa County Local Additions and Addenda Chapter 2 to update permit fees for manufactured homes, create a flat fee for subdivision infrastructure permits, add a new Section 210 Barriers for Swimming Pools, Spas and Hot Tubs, and add a new Section 211 Residential Woodburning restrictions. |

Joy Rich, Director of Planning and Development, withdrew this item to be reposted at a later date.

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MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Chairman of the Board

Fran McCarroll, Clerk of the Board